

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Bryce Suchan, Matthew Reece,
Joseph D. Thornblad, Shawn
Curry-Rakesh, Joseph J. Pederson,
Peter Nelsen, and Michael Gabrio,

Plaintiffs,

Civil No. 13-3127 (JNE/SER)
ORDER

v.

Commissioner of Human Services
Lucinda Jesson and Attorney General
Office,

Defendants.

The Plaintiffs are patients at the St. Peter Regional Treatment Center in St. Peter, Minnesota. They are confined pursuant to orders of civil commitment entered by Minnesota state courts. The Plaintiffs collectively brought this action by filing a civil rights complaint under 42 U.S.C. § 1983. ECF No. 1. One of the Plaintiffs, Joseph Thornblad, has also filed an application to proceed in forma pauperis (“IFP”). ECF No. 2.

The case is now before the Court on a Report and Recommendation from the Honorable Steven E. Rau, United States Magistrate Judge. ECF No. 3. Magistrate Judge Rau recommends that Mr. Thornblad’s IFP application¹ be denied and that this action be dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii) because the Complaint fails to state a claim on which relief can be granted. None of the Plaintiffs objected to the Report and Recommendation.

¹ The Report and Recommendation incorrectly states that the IFP application was filed by Plaintiff Joseph Pederson. The IFP application was actually filed by Plaintiff Joseph Thornblad. This discrepancy does not affect the analysis or the result.

The Court has conducted a de novo review of the record, D.Minn. L.R. 72.2(b), and now adopts the Report and Recommendation.

THEREFORE, IT IS ORDERED THAT:

1. Plaintiff Joseph Thornblad's Application to Proceed In Forma Pauperis [ECF No. 2] is DENIED.
2. This action is DISMISSED under 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 4, 2014

s/Joan N. Ericksen
The Honorable Joan N. Ericksen
United States District Judge